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HOUSE BILL 898

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

W. C. "DUB" WILLIAMS

AN ACT

CREATING THE WORKFORCE DEVELOPMENT BOARD; DEFINING ITS POWERS
AND DUTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. WORKFORCE DEVELOPMENT BOARD. --

A. A workforce development board is created,
consisting of twenty members appointed by the governor with the
advice and consent of the senate and six ex-officio members.
The ex-officio members are the lieutenant governor, the
secretary of children, youth and families, the secretary of
economic development, the secretary of labor, the secretary of
human services and the superintendent of education. Five
members shall be appointed by the governor with one member
appointed from each of the following: local public education, a
post-secondary institution of higher education; a secondary or

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1 post-secondary vocational educational institution and a
2 community-based organization. These appointed members shall
3 serve terms of two years. Six members shall be appointed by the
4 governor from representatives of business and industry. The
5 governor shall appoint four members representing organized
6 labor. The governor shall consider recommendations from
7 statewide labor organizations for the members representing
8 organized labor. Members appointed by the governor to represent
9 business and industry and organized labor shall serve terms of
10 two years. Five members shall be appointed by the governor from
11 among the following: local welfare agencies, public housing
12 agencies, units of general local government or consortia of
13 those units who shall be appointed from nominations made by the
14 chief elected officials of the units or consortia;
15 representatives of the state legislature; representatives of any
16 state or local program that receives funding under an applicable
17 federal human resources program that the governor determines to
18 have a direct interest in the utilization of human resources
19 within the state; and individuals who have special knowledge and
20 qualifications with respect to special education and career
21 development needs of hard-to-serve individuals.

22 B. A vacancy on the board shall be filled in the
23 same manner as regular appointments are made for the unexpired
24 portion of the regular term.

25 C. The lieutenant governor shall serve as the

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1 chairman of the board.

2 D. The board shall meet at the call of the chairman.

3 E. A majority of the members constitutes a quorum.

4 F. Appointed members of the board are eligible for
5 payment pursuant the Per Diem and Mileage Act.

6 Section 2. DUTIES OF THE WORKFORCE DEVELOPMENT BOARD. --

7 A. As used in this section "board" means the
8 workforce development board.

9 B. The board shall develop and coordinate the
10 implementation of a ten-year comprehensive workforce development
11 plan of specific goals, objectives and policies for the state.
12 This plan shall be updated annually and revised as necessary.
13 All state agencies involved in workforce development activities
14 shall annually submit to the board for its review and potential
15 inclusion in the plan their goals, objectives and policies. The
16 plan shall include recommendations to the legislature and the
17 governor on the modification, consolidation, initiation or
18 elimination of workforce training and education programs in the
19 state.

20 C. The board shall prepare a five-year strategic
21 plan for state workforce development to implement the specific
22 comprehensive goals, objectives and policies of the state. All
23 state agencies involved in workforce development activities and
24 regional workforce advisory boards shall annually submit to the
25 board for its review and potential inclusion in the strategic

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1 plan their strategic plans and programs. The five-year
2 strategic plan for state workforce development shall be updated
3 annually. The plan shall include recommendations to the
4 legislature and the governor on the modification, consolidation,
5 initiation or elimination of workforce training and education
6 programs in the state.

7 D. In addition to its responsibilities pursuant to
8 Subsections B and C of this section, the board shall:

9 (1) develop a method of evaluation for
10 attainment of goals and objectives from pursuing the policies of
11 the five-year and ten-year plans that shall include a system to
12 measure program performance, identify accomplishments and
13 evaluate programs to ensure goals and standards are met;

14 (2) monitor the implementation and evaluate the
15 effectiveness of the five-year and ten-year plans;

16 (3) review the provision of services and use of
17 funds and resources under applicable federal human resource
18 programs and advise the governor on methods of coordinating the
19 provision of services and use of funds and resources consistent
20 with the laws and regulations governing those programs;

21 (4) perform the duties and functions prescribed
22 for existing state councils described under the laws relating to
23 the applicable federal human resource programs;

24 (5) provide policy advice for any federal act
25 pertaining to workforce development that is not required by

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1 state or federal law to be provided by another body;

2 (6) identify policies to reduce administrative
3 and other barriers to efficient operation of the state's
4 workforce development system, including among these policies
5 provisions for waivers of statutory requirements and
6 administrative rules and for implementation of one-stop access
7 to workforce development services and school-to-work transition;
8 and

9 (7) upon enactment of new federal initiatives
10 relating to workforce development, advise the governor and
11 legislature on mechanisms for integrating the federal
12 initiatives into the state's workforce development system and
13 make recommendations on legislative or administrative measures
14 necessary to streamline and coordinate state efforts to meet
15 federal guidelines.

16 Section 3. APPLICABLE FEDERAL HUMAN RESOURCES PROGRAM
17 DEFINED. --

18 A. As used in this section, "applicable federal
19 human resources program" means any program receiving federal
20 funds that the governor and the head of the state agency
21 responsible for the administration of that program jointly agree
22 to include within the jurisdiction of the workforce development
23 board.

24 B. With respect to a program authorized under the
25 federal Carl D. Perkins Vocational and Applied Technology

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1 Education Act, applicable federal human resources program
2 applies only to the program if, in addition to meeting the
3 requirements of Subsection A of this section, the state advisory
4 council on vocational education agrees to include the program
5 under the jurisdiction of the board.

6 C. Applicable federal human resources programs:

7 (1) may include programs authorized pursuant
8 to:

9 (a) the federal Job Training Partnership
10 Act;

11 (b) the federal Carl D. Perkins
12 Vocational and Applied Technology Education Act;

13 (c) the federal Adult Education Act;

14 (d) the federal Wagner-Peyser Act;

15 (e) Part A of Title 4 of the federal
16 Social Security Act; or

17 (f) the employment program established
18 under Section 6(3)(4) of the Food Stamp Act of 1977; and

19 (2) shall not include programs authorized under
20 the federal Rehabilitation Act of 1973.

21 Section 4. FUNDING--PERSONNEL. --

22 A. In order to carry out its functions, the
23 workforce development board may:

24 (1) use funds otherwise available for state
25 councils under the applicable federal human resources programs

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1 consistent with the laws and regulations governing those
2 programs; and

3 (2) use funds, services, personnel, facilities
4 and information provided by state and local public agencies,
5 with the consent of those agencies.

6 B. Staff support for the workforce development board
7 shall be provided by the labor department.

8 Section 5. EFFECTIVE DATE. -- The effective date of the
9 provisions of this act is July 1, 1997.

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